

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.282 OF 2018

Mr.Mohammed Abdul Hussain Shaikh ... Appellant

Vs.

The State of Maharashtra ... Respondent

Ms.Tahera Abdul Rashid Qureshi for the Appellant
Mr.Sooraj Hulke, APP, for Respondent / State
Mr.K.D. Sonawane, PSI, Kalwa Police Station – present

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: MARCH 19, 2018**

P.C. :

1. The learned Counsel for the applicant/accused submits that till today one Panch and Doctor are examined. It is a rape case on a minor girl. The victim and her mother have departed to Bangladesh. She further submits that still, there are 3 eye witnesses and they are not examined. One witness is examined on 24th December, 2017. She informs that now the matter is fixed on 27th March, 2018. The status report is awaited from Registrar (Judicial). Hence, kept back.

2. Received the written report of the learned Sessions Judge, Thane, dated 15.3.2018. The learned Sessions Judge has

informed that in January, 2018, the third witness was examined, however, the accused has filed an application for recalling of the said witness. That application is fixed for arguments, however, in between, the accused was not produced before the Court on one date. On the second date, the learned trial Judge of the Court was on leave. Now the matter is fixed on 27.3.2018.

3. In view of the report and in the circumstances, in my view, there is no ground made out for bail. Hence, the Bail Application is rejected. However, the learned Sessions Judge is directed to expedite the matter, preferably following the procedure u/s 309 of the Code of Criminal Procedure. In case, the matter is not over till 31st July, 2018, the applicant/accused is allowed to point it out to this Court.

4. Bail application is disposed of accordingly.

(MRIDULA BHATKAR, J.)